

Town Board Minutes

December 3, 2018

Meeting No. 34

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 3rd day of December 2018 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

EXECUTIVE SESSION:

AT 7:35 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER DICKMAN AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the employment history of a particular person and collective bargaining negotiations.

At 8:23 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Butler Smith, Roseanne, spoke to the Town Board on the following matter:

- Presented various scouts for their merit badge in government.

Schlager, Georgia, spoke to the Town Board on the following matter:

- Questions pertaining to the adjustments in the 2018 Town Budget.

Rybak, Lynn, on behalf of Legislator Brusio, spoke to the Town Board on the following matter:

- Announced that the Stony Road Bridge has reopened.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
November 19, 2018 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Assistant to the Supervisor, to wit:

Claim No. 54819 to Claim No. 54957 Inclusive

Total amount hereby authorized to be paid: \$3,126,052.91

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
29131		Kulback's Inc.	3970 Walden Ave	Er. Comm. Bldg.	
29132		Sunroom Additions & Improv.	24 Signal Dr	Er. Res. Add.	
29133		Butterfield Electric	4201 Walden Ave	Er. Comm. Add./Alt.	
29134		Gary Ertel	8 Darien Ct	Er. Porch Cover	
29135		Danielle Bauchle	69 First Ave	Er. Fence	(V/L)
29136		Marchewka Contractors Inc.	31 Logan Ln	Er. Porch Cover	
29137		Gerard Corbett, Jr.	11 Whitestone Ln	Inst. Generator	
29138		Ippolito's Home Repair	32 Greenbriar Dr	Re-Roof	
29139		Decks Unlimited Construction	2 Magrum Ln	Er. Res. Alt.	
29140		Timothy Gadra	30 Heritage Dr	Er. Fence	
29141		Solcius, LLC	10 Chicory Ln	Inst. Solar Panels	
29142		BTS Services	620 Pavement Rd	Dem. Sin. Dwlg	
29143		Owl Homes of Fredonia	4841 William St	Er. Dwlg.-Sin.	
29144		Craig & Susan Waringa	3753 Bowen Rd	Re-Roof	
29145		Zenner & Ritter Co. Inc.	12 Pelham Rd	Inst. Generator	
29146		Zenner & Ritter Co. Inc.	4 Overlook Ct	Inst. Generator	
29147		Ulrich Signs	3615 Walden Ave	Er. Signs	(V/L)
29148		John Drzewiecki	8 Cherryfield Ln	Inst. Generator	
29149		Marrano/Marc Equity Corp.	84 Avian Way	Er. Dwlg.-Sin.	
29150		Marrano/Marc Equity Corp.	124 Avian Way	Er. Dwlg.-Sin.	
29151		Gen Tech Power Systems	29 Stony Brook Dr	Inst. Generator	
29152		Buffalo Sign Rental	4931 Transit Rd	Er. Sign - Temp	
29153		Steven Andres	12 Winfield Ave	Er. Dwlg.-Sin.	(V/L)
29154		Forbes Homes Inc.	24 Hidden Meadow Cros	Er. Dwlg.-Sin.	
29155		Russo & Murray Plumbing LLC	35W Drullard Ave	Er. Res. Alt.	(V/L)
29156		Eastern Remodeling LLC	22 Hemlock Ln	Re-Roof	
29157		AJ's Construction	6 Ellie Ct	Er. Porch Cover	
29158		Crist Construction	2 Pelham Rd	Er. Porch	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Paul Marinaccio, owner of PM Peppermint, Inc., 5636 Transit Road, Depew, New York 14043 has applied for a Dumping Permit for property situated on 31 Peppermint Road, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review of this application and by letter November 21, 2018 the Building Inspector made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE,

BE IT RESOLVED, that Paul Marinaccio, owner of PM Peppermint, Inc., 5636 Transit Road, Depew, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant situated on 31 Peppermint Road, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

BE IT FURTHER,

RESOLVED, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. Fill area shall be graded and seeded upon completion of filling.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. Fill shall only be placed in the areas which are indicated on the plot plan.
8. No signage for dumping allowed.
9. The source of fill will be from various projects to be completed by Accadia Site Contracting, Inc.
10. Materials regulated as Municipal construction waste must comply with DEC regulation and documentation.

BE IT FURTHER,
RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER,
RESOLVED, the current version of the permit is set to expire on March 8, 2019.

BE IT FURTHER,
RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **will expire on March 8, 2020, one year from its current expiration date.**

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAM	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, the Recreation Supervisor-Senior Citizens, of the Town of Lancaster Senior Center, by letter dated November 20, 2018 has recommended the appointment of the following individual to the following part-time permanent position.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time permanent position in the Lancaster Senior Center, working not more than nineteen and three-quarter hours per week, and that this being a part-time position, provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Patricia Bastedo Lancaster, NY	Recreation Attendant	\$12.00	December 4, 2018

**BE IT FURTHER,
RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Recreation Supervisor-Senior Citizens, of the Town of Lancaster Senior Center, by letter dated November 20, 2018 has recommended the appointment of the following individual to the following part-time permanent position.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual is hereby appointed to the following part-time permanent position in the Lancaster Senior Center, working not more than nineteen and three-quarter hours per week, and that this being a part-time position, provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Richard Conklin Lancaster, NY	Van Driver	\$13.00	December 4, 2018

**BE IT FURTHER,
RESOLVED**, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 46 of the Code of the Town of Lancaster, upon the application of **Michael Salvatore**, president of **MJJ Property Management, LLC.**, for a Special Use Permit to do **Mulch Shredding and Processing** on premises locally known as 6140 Genesee Street, Lancaster, New York, currently zoned Sand, Gravel and Aggregates (SGA), and the Board issued such Special Use Permit on May 1, 2017 and this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, **Aaron Stissor**, Comptroller at **MJJ Property Management, LLC.**, has requested that the Town Board renew the Special Use Permit for an additional one (1) year period, and

WHEREAS, the Town's Supervising Code Enforcement Officer has recommended approval of this Special Use Permit Renewal in his letter dated November 6, 2018;

NOW THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to Chapter 18, Article IV, Section 29(A) of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a renewal of the Special Use Permit to **Aaron Stissor**, of **MJJ Property Management, LLC.**, to do **Mulch Shredding and Processing** on premises locally known as 6140 Genesee Street, Lancaster, New York, currently zoned Sand, Gravel and Aggregates (SGA) upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning January 1, 2019 and ending December 31, 2019, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Article VI, Section 26, of the Code of the Town of Lancaster and with the following conditions:

- A. No more than 10,000 cubic yards are to be stored at any one (1) time on the area located on the proposed site plan.
- B. Must comply with dust control requirements in Town Code §50-27(D)(1).
- C. Proper odor remediation practices to be implemented.
- D. Vehicles are to remain on a paved surface; at no time is vehicle traffic on unpaved areas allowed.
- E. Conformance to the specified hours of shredding and processing operations of Monday to Friday from 7:00 A.M. to 5:00 P.M.
- F. Permit shall expire on December 31, 2019. The original applicant can renew the permit at no additional cost provided it is for the same location that the original permit was issued under.
- G. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the Year 2018 entitled “**ZONING REVISION**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Supervisor Coleman on the 5th day of November, 2018, and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under 6NYCRR Part 617.5(c)(33), and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on November 19, 2018, where all interested parties were allowed to address the proposed Local Law;

WHEREAS, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. The attached Local Law No. 7 of 2018 is hereby adopted.
- 2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 7 OF THE YEAR 2018
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, County of Erie County, State of New York, on December 3, 2018 Local Law No. 7 of the Year 2018, which amends the Town of Lancaster Code, Chapter 50 Zoning, Article IV Residential Districts by adding §50-17(A)(5) and Article VIII Administration and Enforcement, by adding §50-43(D)(4) & (5)(a)(b); and which is on file for review in the Town Hall and on the Town of Lancaster’s website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA
Town Clerk**

December 6, 2018

Town of Lancaster
Local Law No. 7 of 2018

A Local Law which will amend the Code of the Town of Lancaster by adding Section 50-17(A)(5) to Article IV Residential Districts and Section 50-43(D)(4)&(5)(a)(b) to Article VIII Administration and Enforcement of Chapter 50 “ZONING.”

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: Chapter 50. Zoning, Article IV. Residential Districts, §17. Supplementary regulation for all residential districts, Subsection (A) Supplemental yard regulations, of the Town of Lancaster Town Code, is hereby amended to read as follows:

Article IV. Residential Districts

§50-17. Supplementary regulation for all residential districts.

A. Supplemental yard regulations.

.....

(5) All structures other than fencing are hereby prohibited within any drainage or access easement.

Section 2: Chapter 50. Zoning, Article VIII. Administration and Enforcement, §43. Site plan review, Subsection (D). Enforcement of site plan, security; penalty, of the Town of Lancaster Town Code, is hereby amended to read as follows:

Article VIII. Administration and Enforcement.

§50-43. Site plan review.

D. Enforcement of site plan, security; penalty.

.....

(4) All drainage systems’ “as-built” elevations for inverts, receiver rims and finished grade topography shall be submitted to the Town Engineer for review and acceptance prior to issuance of a Certificate of Occupancy/Compliance. This shall apply for all Commercial Projects, Residential Subdivisions and any improvements conveyed to the Town of Lancaster.

(5) To assist future lot buildouts in residential subdivisions;

(a) Piped rear yard drainage systems, drain risers shall be marked with design finished grade.

(b) Non-piped rear yard drainage systems, grade stakes indicating finished grade shall be set and maintained until lot completion.

Section 3: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 4: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, the Town Board is considering the proposed renovation of an existing structure to accommodate a modern Italian restaurant to include a 1,000 sq. ft. kitchen addition submitted by Elizabeth Holmes of Barclay Damon on behalf of Fairways of Lancaster Holdings, on a +/- 71 acre parcel located at 5354 Genesee Street, in the Town of Lancaster, Erie County, New York, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on November 21, 2018 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the renovation project, using the Long Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled a “Type I” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. Based upon the Town Board’s thorough and careful review of the proposed renovation of an existing structure to accommodate a modern Italian restaurant to include a 1,000 sq. ft. kitchen addition on a +/- 71 acre parcel located at 5354 Genesee Street, will not result in any significant environmental impacts and hereby issues a negative declaration pursuant to SEQRA for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: December 3, 2018

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the "Town Board"), has reviewed the proposed renovation of an existing structure to accommodate a modern Italian restaurant to include a 1,000 sq. ft. kitchen addition as submitted by Elizabeth Holmes of Barclay Damon on behalf of Fairways of Lancaster Holdings, on a +/- 71 acre parcel. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Linguine's Italian Restaurant

Location of Action: 5354 Genesee Street (SBL No. 82.19-1-5.1) Lancaster, New York 14086, Erie County.

SEQR Status: Type I Action.

Description of Action: Renovate current structure to accommodate modern Italian restaurant. Add new kitchen to existing structure.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. Impact on land - **No impact.**
 - **Depth to water table is at 3'**
 - **Bedrock is at 1.5'**
2. Impact on Geological Features – **No impact.**
3. Impacts on Surface Water – **No impact.**
4. Impact on Groundwater – **No impact.**
5. Impact on Flooding – **No impact.**
 - **Addition would be near to 500 year Flood Zone**
 - **Cross easement showing that drainage is designed to accommodate**
6. Impact on Air – **No impact.**
7. Impact on Plants and Animals – **No impact.**
8. Impact on Agricultural Resources – **No impact.**
9. Impact on Aesthetic Resources – **No impact.**
10. Impact on Historic and Archeological Resources – **No impact.**
11. Impact on Open Space and Recreation – **No impact.**

- 12. Impact on Critical Environmental Areas – N/A
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation – No impact.
- 14. Impact on Energy – No impact.
- 15. Impact on Noise, Odor and Light – No impact.
- 16. Impact on Human Health – No impact.
- 17. Consistency with Community Plans – No impact
- 18. Consistency with Community Character – No impact.

For Further Information:

Contact Person:	Kevin E. Loftus, Town Attorney
Address:	Town of Lancaster 21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster Town Code provide for the adoption and enactment of local laws, and

WHEREAS, a proposed Local Law of the Year 2018 entitled “**ZONING - COMMUNICATIONS TOWERS REVISION**”, of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member Ruffino on the 5th day of November, 2018, and

WHEREAS, the Town Board, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has determined the action is a Type II action under 6NYCRR Part 617.5(c)(33), and

WHEREAS, the Town Board called for, noticed, and held a public hearing on the proposed Local Law on November 19, 2018, where all interested parties were allowed to address the proposed Local Law;

WHEREAS, the Town Board of the Town of Lancaster after due review and deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. The attached Local Law No. 8 of 2018 is hereby adopted.
- 2. The Local Law shall be effective upon its filing with the Secretary of State pursuant to the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 8 OF THE YEAR 2018
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, County of Erie, State of New York, on December 3, 2018 Local Law No. 8 of the Year 2018, which amends the Town of Lancaster Code, Chapter 50 Zoning, Article VIIA. Communications Towers by adding Section 50-41.6(A)(12) and by amending Section 50-41.8; and which is on file for review in the Town Hall and on the Town of Lancaster's website, <http://www.lancasterny.gov>.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: DIANE M. TERRANOVA
Town Clerk**

December 6, 2018

**Town of Lancaster
Local Law No. 8 of 2018**

A Local Law which will amend the Code of the Town of Lancaster by adding Section 50-41.6(A)(12) and amending Section 50-41.8 within Article VIIA. Communications Towers, of Chapter 50 “ZONING.”

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: Chapter 50. Zoning, Article VIIA. Communications Towers, §41.6 Special use permit requirements, Subsection (A) Application and site plan, of the Town of Lancaster Town Code, is hereby amended to add subparagraph (A)(12) to read in its entirety as follows:

**(12) Proof of notification (Certified Mail return receipts)
by the applicant to all property owners within 500
feet of the boundaries of the property that the
communications tower is to be constructed on.**

Section 2: Chapter 50. Zoning, Article VIIA. Communications Towers, §41.8. Procedure, of the Town of Lancaster Town Code, is hereby amended to read in its entirety as follows:

§50-41.8. Procedure.

Upon receipt of a completed application, the Town Board shall hold a public hearing and shall comply with all of the requirements of Chapter 50-46 of the Code of the Town of Lancaster for the approval of special use permits. The Town Board shall review the application for compliance with the provisions of this Chapter and shall determine that the location of the proposed communications tower has been made known to residents within a 500 feet radius (Pursuant to §50-41.6(A)(12)), and that it is in accordance with the principles and requirements stated herein.

Section 3: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 4: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Concrete Applied Technologies Corp., 1266 Town Line Road, Alden, NY 14004, the contractor for the Town of Lancaster’s Highway Capital Improvements Project involving the culverts on Old Post Rd, Maple Dr. and Erie St., has submitted a Change Order in the amount of \$14,720.00 to the Town Board for their approval, based on an increase in work needed to be performed previously provided to the Town Board;

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves Change Order No. 6 to **Concrete Applied Technologies Corp.,** with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 6:

Additional waterline relocation costs on Erie Street and Box Beam Guiderail on Maple Drive.

CHANGE ORDER NO. :

The original Contract Sum was	\$	771,603.40
The Contract Sum was increased by Change Order #1 in the amount of....	\$	11,742.00
The Contract Sum was increased by Change Order #2 in the amount of....	\$	32,000.00
The Contract Sum was increased by Change Order #3 in the amount of	\$	11,073.31
The Contract Sum was increased by Change Order #4 in the amount of....	\$	5,365.31
The Contract Sum was increased by Change Order #5 in the amount of....	\$	102,156.90
The Contract Sum will be increased by this Change Order in the amount of....	\$	14,720.00
The new increased Contract Sum including this Change Order will be	\$	948,660.92

BE IT FURTHER
RESOLVED, that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, upon reviewing the budgetary accounts of the Town of Lancaster,
the Supervisor has determined the need for various adjustments to the 2018 Adopted Budget of
the Town of Lancaster,

NOW, THEREFORE,

BE IT RESOLVED that the following Budget Amendments be and are hereby
approved in the 2018 adopted budget of the Town of Lancaster:

<u>General Fund - Townwide</u>	<u>Increase</u>
01-510 Estimated Revenues	29,485
01-0001-3889 Other Culture/Recreation State Aid (Yth Bureau Van)	24,600
01-0001-3889 Other Culture/Recreation State Aid (Yth Bur Tech Grant)	4,885
01-599 Appropriated Fund Balance	31,000
01-960 Budget Appropriations	60,485
01-3510-102 Dog Control, Wages - Overtime	3,000
01-3510-103 Dog Control, Wages – Assistant DCO’s	13,000
01-7180-103 Pool, Wages – Lifeguards	15,000
01-7310-225 Youth Bureau, Passenger Vehicles	24,600
01-7311-210 Youth Services, Office Furniture & Equipment	4,885
<u>General Fund – Town Outside Villages</u>	<u>Increase</u>
02-510 Estimated Revenues	9,000
02-0002-4910 Federal Aid – Community Development Block Grant	9,000
02-960 Budget Appropriations	9,000
02-8020-410 Planning, Professional Services	9,000
<u>Highway Fund – Town Outside Villages</u>	<u>Increase</u>
13-599 Appropriated Fund Balance	240,000
13-960 Budget Appropriations	240,000
13-5110-433 General Repairs, Resurfacing Materials	240,000
<u>Police Fund</u>	<u>Increase</u>
05-510 Estimated Revenues	125,100
05-0005-2401 Interest Earnings	50,000
05-0005-2680 Insurance Recoveries	50,000
05-0005-3389 State Aid – Traffic Safety Grant	8,100
05-0005-4389 Federal Aid – DEA Overtime Grant	17,000
05-599 Appropriated Fund Balance	32,900
05-960 Budget Appropriations	158,000
05-3120-102 Police, Wages – Overtime, Patrol	100,000
05-3120-102 Police, Wages – Overtime, Dispatch	25,000
05-3120-128 Police, Wages – DEA Overtime	17,000
05-3120-140 Police, Wages, Public Safety Dispatchers	16,000
<u>Street Lighting District Fund</u>	<u>Increase</u>
40-599 Appropriated Fund Balance	14,125
40-960 Budget Appropriations	14,125
40-5182-410 Street Lighting, Professional Services	2,125
40-5182-455 Street Lighting, Utilities – Electric	12,000
<u>Garbage & Refuse District Fund</u>	<u>Increase</u>
35-599 Appropriated Fund Balance	30,000
35-960 Budget Appropriations	30,000
35-8160-411 Garbage Collection	15,000
35-8160-412 Garbage Disposal	15,000

<u>Police Asset Forfeiture Fund</u>	<u>Increase</u>
31-599 Appropriated Fund Balance	670
31-960 Budget Appropriations	670
31-3120-220 Passenger Vehicles	670
 <u>Tree Planting Fee Fund</u>	 <u>Increase</u>
33-599 Appropriated Fund Balance	2,050
33-960 Budget Appropriations	2,050
33-8000-400 Home & Community Services, Contractual Expenses	2,050
 <u>Recreation Filing Fee Fund</u>	 <u>Increase</u>
37-599 Appropriated Fund Balance	48,265
37-960 Budget Appropriations	48,265
37-7000-200 Equipment & Capital Outlay	40,265
37-9901-902 Transfers Out, To Keysa Park Skate Park Phase II Project	5,000
37-9901-902 Transfers Out, To Picnic Shelter Rehab Project	3,000

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER WALTER, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, by resolution adopted on September 17, 2018 the Lancaster Town Board authorized the Chief of Police, Gerald Gill, to sign the 2018-2019 Tactical Division Squad Task Force Agreement and the Appendix E1 Case Specific Tactical Diversion Task Force Agreement between the Town of Lancaster and the United States Department of Justice, Drug Enforcement Agency (D.E.A.), and

WHEREAS, Appendix E1 Case Specific Tactical Diversion Task Force Agreement and its Addendum were executed and submitted to the D.E.A. by the Chief of Police, and

WHEREAS, upon receipt by the D.E.A., the Lancaster Police Department was contacted and advised that according to D.E.A. guidelines, as the initiator of any agreements, the D.E.A. agency representative is required to execute the agreements prior to the Town executing them, and

WHEREAS, in the interim, the D.E.A. eliminated the Appendix E1 Case Specific Tactical Diversion Task Force Agreement and its Addendum and created a “Drug Enforcement Administration - Buffalo Resident Office and Lancaster Police Department, Case Specific Tactical Diversion Squad Task Force Agreement” which included minor typographical changes to the title and body of the previous agreement; none of which alter either the original intent or the substantive conditions, and

WHEREAS, the D.E.A. submitted an executed “Drug Enforcement Administration - Buffalo Resident Office and Lancaster Police Department Case Specific Tactical Diversion Squad Task Force Agreement” to the Lancaster Police Department which was then signed by Chief Gill on November 8, 2018.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby retroactively approves the “Drug Enforcement Administration – Buffalo Resident Office and Lancaster Police Department Case Specific Tactical Diversion Squad Task Force Agreement” as prepared by the D.E.A. with an effective date of October 16, 2018.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, the Town Board is considering Mays Tree Service’s proposed construction of a 11,880 G.S.F. addition to their existing facility to include a 10’ concrete slab/sidewalk and 50’ wide new asphalt pavement on a +/- 7.99 acre parcel located at 73 Cemetery Road (SBL No. 105.00-5-58) in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on November 21, 2018 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the addition using the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project is described as the construction of a 11,880 G.S.F. addition to the existing Mays Tree Service facility to include a 10’ concrete slab/sidewalk and 50’ wide new asphalt pavement which is located at 73 Cemetery Road (SBL No. 105.00-5-58) will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein..
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: December 3, 2018

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Lancaster has reviewed the proposed construction of Mays Tree Service's 11,880 G.S.F. addition to their existing facility to include a 10' concrete slab/sidewalk and 50' wide new asphalt pavement on a +/- 7.99 acre parcel located at 73 Cemetery Road (SBL No. 105.00-5-58). The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Proposed Building Addition to Mays Tree Service

Location of Action: 73 Cemetery Road (SBL No. 105.00-5-58), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: Construction of an 11,880 gsf building located at 73 Cemetery Road in the Town of Lancaster. Construction will also include a 10' concrete slab/sidewalk and 50' wide new asphalt pavement.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No.**
3. Will the proposed action impair the character or quality of the existing community? **No.**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No.**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No.**
7. Will the proposed action impact existing:
 - a. public/private water supplies? **No**
 - b. public/private wastewater treatment utilities? **No.**
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No.**

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna)? **No.**
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No.**
11. Will the proposed action create a hazard to environmental resources or human health? **No.**

It is noted by Planning Board Member Anderson that this is the third phase of development and a full build out plan for any future development will be necessary. Also, there is floodplain to consider and this project is nearing SEQR segmentation. Planning Board Chair Connelly noted that the cumulative effect of the development needs to be reviewed.

For Further Information:

Contact Person:	Kevin E. Loftus, Town Attorney
Address:	Town of Lancaster 21 Central Avenue Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER WALTER, TO WIT:

WHEREAS, Jason Bennett, of Ashwood Architectural, PC, on behalf of the **Parker Hannifin Corporation**, has prepared and submitted a site plan, dated October 19, 2018 and received October 19, 2018 for the proposed construction of a 2,500 sq. ft. pre-engineered 3-sided metal storage shed to be located at 4087 Walden Avenue (SBL No. 105.00-2-6), in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their November 7, 2018 meeting, and

WHEREAS, the Town, acting as Lead Agency under the State Environmental Quality Review Act (“SEQRA”) has identified the relevant areas of environmental concern and determined the action to be a Type II action under 6NYCRR Part 617.5(c)(9);

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by Jason Bennett, of Ashwood Architectural, PC, on behalf of the **Parker Hannifin Corporation**, dated October 19, 2018 and received October 19, 2018 for the proposed construction of a 2,500 sq. ft. pre-engineered 3-sided metal storage shed to be located at 4087 Walden Avenue (SBL No. 105.00-2-6), in the Town of Lancaster with the following condition:

- Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR COLEMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER GACZEWSKI, TO WIT:

WHEREAS, Thomann Asphalt Paving Corp., has submitted an amended site plan prepared by Tredo Engineers, dated October 27, 2017 and received April 10, 2018 for the proposed construction of a 4,500 sq. ft. shop addition and office renovations, which will include a paved surface driveway entrance and exit from the addition, to their existing facility, located at 56 Gunnville Road, in the Town of Lancaster and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their July 18, 2018 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on September 17, 2018, in conformance with SEQR (State Environmental Quality Review) regulations and on October 1, 2018 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Thomann Asphalt Paving Corp., and Tredo Engineers, dated dated October 27, 2017 and received April 10, 2018 for the proposed construction of a 4,500 sq. ft. shop addition and office renovations, which will include a paved surface driveway entrance and exit from the addition, to the existing facility located at 56 Gunnville Road, in the Town of Lancaster with the following condition:

- Contractor to provide an “As-built” survey to the Building Department prior to any Certificates of Compliance/Occupancy being issued.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Alfreda Haniszewski, d/b/a Ed Henning Inc., 911 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 911 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated November 27, 2018 has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE,

BE IT RESOLVED, that Alfreda Haniszewski, d/b/a Ed Henning, Inc., 911 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 911 Ransom Road, Lancaster, New York for the period January 1, 2019 to December 31, 2019 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

File: rsalvage yard license (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 933 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated November 27, 2018, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE,

BE IT RESOLVED, that Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 933 Ransom Road, Lancaster, New York for the period January 1, 2019 to December 31, 2019 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

December 3, 2018

File: rsalvage yard license (P5)

COMMUNICATIONS & REPORTS

- 735. Town Attorney to Town Clerk –**
Transmittal of Maintenance Bonds for Pavement and Curb, Detention Basin & Storm Sewer and Water Line public Improvements for Summerfield Farms, Part 7 and request for resolution accepting P.I.P. No. 787 (Pavement and Curb), P.I.P. 788 (Detention Basin & Storm Sewer) and P.I.P. 789 (Water Line) for Summerfield Farms Subdivision, Part 7. Disposition = Resolution 11/19/18
- 736. NYS Department of Transportation to Supervisor –**
Notice that funding through 2018 BRIDGE NY was not approved for Erie Street over Spring Creek.
Disposition = Town Engineer, Highway Superintendent & Grant Writer
- 737. Town Clerk to Transportation Coordinator, Modern Disposal Services Inc. –**
Transmittal of license decals and copy of Exhibit “B” for 2019 Solid Waste Collection License. Disposition = Received & Filed
- 738. NEXTERa Energy to Supervisor –**
Information regarding Empire State Line Project.
Disposition = Town Engineer, Town Attorney, Code Enforcement
- 739. NYS Department of Transportation to Supervisor –**
Notice of approval of funding through 2018 BRIDGE NY for Aurora Street over Cayuga Creek.
Disposition = Town Engineer, Highway Superintendent & Grant Writer
- 740. Kathy and Joe Isgro to Town Board –**
Request to acquire a vacant lot owned by the Town located between 216 North Maple Dr. and 218 North Maple Drive. Disposition = Town Attorney
- 741. Senior Associate Principal, Wendel to Mayor of Village of Lancaster and Village Board –**
Information regarding LED Street Lighting Upgrades.
Disposition = Received & Filed
- 742. Lancaster Volunteer Ambulance Corp to Town Clerk –**
October 2018 LVAC calls. Disposition = Received & Filed
- 743. NYS Department of Transportation to Supervisor –**
Notice that funding through 2018 BRIDGE NY was not approved for Main Street over Ellicott Creek.
Disposition = Town Engineer, Highway Superintendent & Grant Writer
- 744. Code Enforcement Officer to Town Board –**
Recommend renewal of Special Use Permit for MJJ Property, 1266 Townline Road, Alden, NY 14004. Disposition = Resolution 12/3/18
- 745. Code Enforcement Officer to Town Board –**
Approval of renewal of Special Use Permit for PM Peppermint, 31 Peppermint Rd. could be recommended with stipulations noted.
Disposition = Received & Filed
- 746. Code Enforcement Officer to Town Board –**
Recommend issuance of Dumping Permit for PM Peppermint, 31 Peppermint Rd. Disposition = Resolution 12/3/18
- 747. Concrete Applied Technologies Corp. to Code Enforcement Officer and Town Board -**
Request for renewal of Special Use Permit for 6140 Genesee St.
Disposition = Resolution 12/3/18

748. Neil Connelly to Town Board –
Request for reappointment as Lancaster Planning Board Chairman for 2019.
Disposition = For Resolution
749. David Dzwigal to Town Clerk –
Request to be considered for a 5-year appointment to the Lancaster Ethics Board. Disposition = For Resolution
750. Julie Bowman, Paralegal to Town Clerk –
30-day waiver request for liquor license application for 6635 Transit Road.
Disposition = Received & Filed
751. NYS Agriculture and Markets to Supervisor –
Municipal Shelter Inspection Report for Lancaster Dog Control.
Disposition = Received & Filed
752. NYS Agriculture and Markets to Supervisor –
Dog Control Officer Inspection Report for Lancaster Dog Control.
Disposition = Received & Filed
753. Recreation Supervisor to Supervisor and Town Board –
Request for resolution appointing Richard Conklin to the position of Van Driver, permanent part-time for the Senior Citizens Center effective December 4, 2018.
Disposition = Resolution 12/3/18
754. Recreation Supervisor to Supervisor and Town Board –
Request for resolution appointing Patricia Bastedo to the position of Recreation Attendant, permanent part-time for the Senior Citizens Center effective December 4, 2018. Disposition = Resolution 12/3/18
755. Town Clerk to Town Board –
Transmittal of Home Occupation Special Use Permit Application for Nichols DiPalma, 5721 Broadway. Disposition = For Consideration
756. Alan Kurtzman to Town Board –
Request for reappointment to the Lancaster Industrial Development Agency Board for 2019. Disposition = For Resolution
757. Erie County Clerk to Supervisor –
Information regarding Columbia Law School “Zombie Prevention” Training.
Disposition = Code Enforcement
758. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Sewerage Management regarding Parker Hannifin Shelter Addition, 4087 Walden Ave., Proj. #3444.
Disposition = Planning Committee
759. Town Attorney to Town Board and Planning Board –
SEQR response from NYS Dept. of Environmental Conservation regarding Parker Hannifin Shelter Addition, 4087 Walden Ave., Proj. #3444.
Disposition = Planning Committee
760. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Parker Hannifin Shelter Addition, 4087 Walden Ave., Proj. #3444.
Disposition = Planning Committee
761. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Dept. of Environment & Planning regarding Parker Hannifin Shelter Addition, 4087 Walden Ave., Proj. #3444.
Disposition = Planning Committee

- 762. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Water Authority regarding Amended Preliminary Plat-Blackstone Court, Private SD off Harris Hill Rd., Proj. #1992.
Disposition = Planning Committee**
- 763. Lancaster Town Council Member Matthew Walter to Supervisor and Town Board –
Information regarding Dog Control Grant Background.
Disposition = Received & Filed**
- 764. Town Engineer to Town Board –
Recommend approval of Change Order 6 from Concrete Applied Technologies Corp. (CATCO) for Highway Capital Improvement Project, Old Post Road, Erie Street, Maple Drive, Lake Ave.
Disposition = Jean Farmer & Town Attorney**
- 765. Richard Quinn, Ed.D to Town Board –
Request for reappointment as Chairman of the Town of Lancaster Zoning Board of Appeals for 2019. Disposition = For Resolution**
- 766. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building & Zoning Inspector –
Draft copy of minutes from November 21, 2018 Planning Board Meeting.
Disposition = Received & Filed**
- 767. Planning Board to Town Board –
Memo recommending approval of SEQR Review- Negative Declaration for Linguine's Italian Restaurant, 5354 Genesee Street.
Disposition = Resolution 12/3/18**
- 768. Planning Board to Town Board –
Memo recommending approval of SEQR Review- Negative Declaration for May's Tree Service, 73 Cemetery Road. Disposition = Resolution 12/3/18**
- 769. Supervising Code Enforcement Officer to Town Board –
Recommend approval of Special Use Permit for Greg's Tree Service, 1230 Town Line Road. Disposition = For Resolution**
- 770. Supervising Code Enforcement Officer to Town Board –
Recommend approval of 2019 License to Operate a Salvage Yard for Ed Henning Inc., 911 Ransom Road. Disposition = Resolution 12/3/18**
- 771. Supervising Code Enforcement Officer to Town Board –
Recommend approval of 2019 License to Operate a Salvage Yard for Advantage Trucks.com LLC, 933 Ransom Road. Disposition = Resolution 12/3/18**
- 772. Town Clerk to Code Enforcement Officer –
Transmittal of Application for a 2019 License to Conduct a Salvage Yard for Ransom Auto Part, Inc., 867 Ransom Road. Disposition = For Resolution**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY
COUNCIL MEMBER WALTER AND CARRIED,** the meeting was adjourned in memory
of President George H. W. Bush, Anna J. Cascioli and Eleonore Martin at 8:24 P.M.

Signed_____

Diane M. Terranova, Town Clerk